



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 27, 1998

Mr. Miles K. Risley
City Attorney
City of Victoria
Legal Department
P.O. Box 1758
Victoria, Texas 77902-1758

OR98-2501

Dear Mr. Risley:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 119172.

The Victoria Police Department (the "department") received an open records request for all police records pertaining to the requestor's daughter, a juvenile. You contend that the requested information is made confidential under section 58.007(c) of the Family Code and therefore must be withheld pursuant to section 552.101 of the Government Code.¹

Section 552.101 of the Government Code protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 58.007(c) of the Family Code provides in pertinent part:

(c) Except as provided by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the public and shall be:

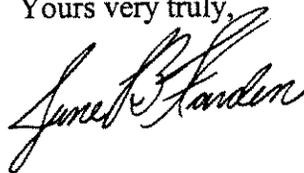
¹Some of the records you submitted to this office pertain to an investigation of an alleged injury to a child. Because these records do not come within the ambit of the request, we do not address the public nature of these documents.

- (1) kept separate from adult files and records; and
- (2) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B.

Because the requested records come within the ambit of section 58.007(c), we conclude that the department must withhold these records in their entirety pursuant to section 552.101 of the Government Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/RWP/mjc

Ref.: ID# 119172

Enclosures: Submitted documents